
CONFIDENTIALITY POLICY

Following are some guidelines that will assist individuals (state employees, consultants, etc.) involved in the [Project Name] (Project) in dealing with confidential information while working on the Project. Please read this entire document very closely. If you have any questions, please contact [Buyer Name], [Office, Department], at (xxx) xxx-xxxx or [e-mail address].

The overall objective of maintaining confidentiality is to ensure the integrity of the procurement process, prevent any bidder/proposer from gaining an advantage, and avoid protests. It is important to understand that the disclosure of certain confidential or procurement-sensitive information could jeopardize the procurement. Individuals involved in the Project must be careful to avoid breach of confidentiality both inside and outside of the workplace. Each individual is personally responsible for maintaining confidentiality in all oral and written communications, as well as in the handling of information through electronic means. The disclosure of any procurement-sensitive information that may jeopardize the Project may result in civil or criminal penalties and/or disciplinary action.

WHO SHOULD SIGN CONFIDENTIALITY STATEMENTS?

Individuals working on the Project will be required to sign a confidentiality statement prior to entering into discussions related to the planning of the Project. Individuals who are currently working in any planning activities and who have not already signed a confidentiality statement should sign the attached statement and send it to:

[Buyer Name and mailing address]]

Please read the confidentiality statement carefully. The confidentiality statement also includes a conflict of interest statement. Any individual who feels they may have a personal or financial interest that would be incompatible with participation in any Project activity must disclose that information to [buyer name] prior to signing the confidentiality statement.

In many cases, support staff will be required to handle confidential information. Those situations should be reviewed and a determination made whether it is necessary for support staff to sign a confidentiality statement. At a minimum, support staff should be instructed on how to handle confidential information.

WHAT INFORMATION IS CONFIDENTIAL?

- Any information related to the procurement or planning which may affect the procurement.
- Any document (hard copy or electronic media) marked "Confidential".
- Any procurement documents (Request for Information (RFI), Request for Proposal (RFP), etc.) which have not been released to the supplier community. Procurement documents that have already been released to the supplier community are no longer confidential.
- Any supplier responses or proposal evaluation materials related to an RFI, RFP, etc.
- Any discussions related to the Project's procurement process, as well as discussions related to information that may be included in any RFI, RFP, etc.

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PRECAUTIONS FOR INDIVIDUALS WORKING WITH CONFIDENTIAL INFORMATION:

- All confidential documents should be marked “Confidential”. If the buyer determines that additional controls are necessary, documents will be numbered and assigned prior to release. It will be the recipient’s responsibility to control and return the numbered document(s).
- Keep all confidential documents out of view and locked away from your desk.
- Confidential information on your personal computer should always be password protected and should never be left open when stepping away from your desk. Screen savers should also be used and should be password protected. Confidential documents should be filed in your personal drive. If documents must be shared, they can be stored in a shared drive, but should also be password protected with a shared password.
- Monitor the printer when printing a confidential document. Do not leave confidential print jobs unattended.
- Remove all confidential documents from the photocopy machine when jobs have been completed. In the event of a machine jam, make sure all confidential papers are removed and shredded.
- Close doors when confidential discussions occur during meetings. Erase and/or remove all white boards, flip charts, and papers once the meeting has concluded.
- Be discrete in communications with potential bidders/proposers to ensure that unauthorized disclosure of confidential information does not occur. Be cautious of what you say. This is extremely important in situations where supplier staff are co-located with state staff.
- Formal or informal inquiries by potential bidders/proposers should be directed to [buyer contact information]. Advise the potential bidder/proposer to reference the solicitation number when calling.
- Confidential mail can be sent via regular mail courier envelopes, but should be sent in a sealed envelope within the messenger envelope and marked appropriately. Confidential mail should be hand carried to local destinations (within reasonable traveling distance). Please instruct clerical support staff that incoming mail marked “Confidential” should be delivered unopened to the recipient immediately.
- Confidential papers (including notes and working papers) should not be discarded in wastebaskets or recycle bins. Confidential papers should be shredded.
- Using the fax machine for transmitting confidential information is not recommended. However, if necessary, arrangements should be made at both ends of the transmission to monitor the fax machine until the entire fax has been sent and received. Do not leave a fax machine unattended when sending or receiving a confidential document. The following statement should be included in the fax transmittal sheet:

CONFIDENTIALITY NOTICE: This Facsimile transmission is intended only for the addressee shown above. It may contain information that is privileged, confidential or otherwise protected from disclosure. Any review, dissemination or use of this transmission or any of its contents by persons other than the addressee is strictly prohibited. If you received this fax in error, please call us immediately upon receipt and return the facsimile documents, by first class mail, to the address above. Thank you for your cooperation.

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- All conference calls where confidential information may be discussed should be conducted behind closed doors.
- Individuals should be cautious of their surroundings when leaving voice mail messages that may contain confidential information.
- Electronic mail messages should not be used to share confidential information since they can be accessed fairly easily by experienced users.

SUPPLIER CONTACTS

Any formal or informal inquiries by potential bidders/proposers should be directed to [buyer contact information]. Advise the potential bidder/proposer to reference the solicitation number when calling. Other individuals may not attempt to answer any inquiries by potential bidders/proposers.